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**- REMARKS -**

No new matter has been added with the amendments to the claims or specification.

**A. Claims 1 and 3-27 were rejected as anticipated by Uchida under 35 U.S.C. §102(b)**

The §102(b) rejection of claims 1 and 3-27 is traversed.

In order to maintain this rejection, each and every element of the claimed invention must be disclosed by the reference in at least as great detail as claimed. Because Uchida does not disclose a "vehicle preference setting" as claimed in claims 1, 14 and 21, Uchida cannot anticipate the instant invention.

At most, Uchida discloses use of "parameters" that are used to set conditions. See, Uchida, column 14, lines 14-21. In contrast, the vehicle preference settings result from a set condition established by the user. Uchida indicates that the parameters whose conditions are to be set include "illuminance value of a light controller," "sound volume for preventing vehicle theft," "sound volume generated ... when the door is locked by a wireless control," and etc. Uchida, column 14, lines 33-51. In contrast, a vehicle preference setting is a preset setting and associated data. See, specification, page 14, lines 1-17.

While Uchida is directed at *setting* a parameter to an optimum value (Abstract, Uchida)(emphasis added), claims 1, 14, and 21 are directed to a method of *monitoring* vehicle preference selections. Thus, the method of Uchida may be used to set a dome light to a particular brightness level, while the claimed method monitors the vehicle preference setting.

Therefore, Applicants request the withdrawal of the rejections to claims 1, 14, and 21, and claims 3-13, 15-20 and 21-28 depending from claims 1, 14, or 21 respectively.

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**B. Claim 2 was rejected as unpatentable over Uchida in view of Lee under 35 U.S.C. §103(a)**

The §103(a) rejection of claim 2 is traversed.

In order to maintain this rejection, each and every element of the claimed invention must be taught or suggested by the reference in at least as great detail as claimed. Because Uchida in view of Lee does not disclose a "vehicle preference setting [including] a satellite radio receiver preference setting" as claimed in claim 2, Uchida in view of Lee cannot render the instant invention unpatentable.

Since the prior art does not show methods for communicating vehicle preference settings including "a satellite radio receiver preference setting" Applicants request the Examiner to withdraw the rejection. If the Examiner wishes to maintain the rejection, Applicants traverse the statement "it would have been obvious..." and request the Examiner to make a showing in the prior art or in the form of an examiner's declaration/affidavit supporting the conclusion that it is obvious to initiate communication with a call center from a mobile communication unit to transmit satellite radio receiver preference settings. See, MPEP 706.02(a): "If the Applicant traverses such an assertion, the Examiner should cite a reference in support of his/her position." Absent such a showing, Applicants respectfully request allowance of the claims.

Furthermore, although the Examiner correctly alleges that satellite radio receivers are known in the art, the claim requires "a satellite radio receiver preference setting." There is no teaching or suggestion in the art to upload a "a satellite radio receiver preference setting" from a mobile communication unit to a base station.

Withdrawal of the rejection of claim 2 is requested.

**C. New claims 28-32 are patentable over the prior art.**

The prior art does not disclose, teach or suggest each and every element of new claims 28-32 and therefore those claims are patentable.

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**SUMMARY**

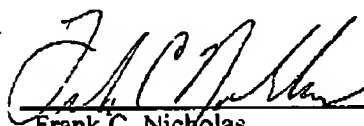
The Examiner's rejections of claims 1-27 have been obviated by remarks herein supporting an allowance of pending claims 1-27 over the art of record. New claims 28-32 are patentable over the prior art. The Applicants respectfully submit that claims 1-32 herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: October 27, 2004

Respectfully submitted,  
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